

**REMARKS**

Claims 12-40 are pending in the application. By this Amendment, claims 12, 14, 15, 24, 26 and 27 are amended and claims 32-40 are added.

Reconsideration and withdrawal of the rejections in view of the foregoing amendments and the following remarks is respectfully requested.

**THE ELECTION REQUIREMENT**

In response to the Election Requirement dated February 4, 2009, Applicant elected Species II, with traverse. The Office Action does not indicate that the two claims in the application directed to the non-elected species have been withdrawn. Accordingly, Applicant presumes that the Election Requirement has been traversed, and that all of claims 12-31 remain under examination.

If the Examiner has withdrawn claims 13 and 25 from consideration as being directed to a non-elected species, Applicants note that claims 13 and 25 depend from claims 12 and 24, which are generic to all of the alleged species. Thus, to the extent independent claims 12 and 24 are found to be allowable, rejoinder and examination of claims 13 and 25 are respectfully requested.

**CLAIMS 12-14, 21, 22 and 24-26**

The Office Action rejects claims 12-14, 21, 22 and 24-26 under 35 U.S.C. 102(b) over Japanese Patent Publication No. 2000-253640 to Hitoo (hereinafter "Hitoo"). The rejection is respectfully traversed.

The Hitoo reference discloses a linear vibration motor as illustrated in Fig. 1. As shown therein, the motor 10 includes a stator core 18 which includes a first magnetic material core 12 having a coil 14, and a second magnetic material core 16 which faces the first magnetic core 12. A magnetic air gap 20 is formed between the first core 12 and the second core 16.

A movable magnetic body 22 is arranged in the magnetic air gap 20. Hitoo indicates that the movable magnetic body is displaceable in the axial

direction along the magnetic air gap 20. Hitoo also discloses that the movable magnetic body includes a plurality of permanent magnets which are divided into a plurality of segments by insulating thin plates 28 located between the permanent magnets.

1. Claims 12-14, 21 and 22

Independent claim 12 is directed to a linear drive device which includes an excitation winding with an associated magnetic-flux-carrying yoke body having pole surfaces. Claim 12 recites an armature body including a magnet carrier having at least two permanent magnet parts. Claim 12 further recites that the magnet carrier includes an electrically conductive exterior frame and electrically insulating material mounted inside the exterior frame and holding the two permanent magnet parts on the exterior frame. Claim 12 recites that during axial oscillation movements of armature body, the exterior frame remains substantially outside the magnetic field area defined by the pole surfaces of the yoke body and the excitation winding to thereby substantially avoid an induction of eddy currents adjacent the pole surfaces of the yoke body.

Hitoo fails to disclose or suggest any embodiments where a magnet carrier holding at least two permanent magnets includes electrically insulating material that is used to hold the magnets in the central portion of an electrically conductive frame such that the frame can remain outside of the magnetic field created between the pole surfaces of a yoke body. In fact, Figure 2 of Hitoo appears to show an embodiment where a frame holding the magnets is located in the magnetic field created between the pole surfaces of a yoke body. Because Hitoo fails to disclose or suggest a device where during axial oscillation movements of an armature body, the exterior frame remains substantially outside the magnetic field area defined by the pole surfaces of the yoke body, it is respectfully submitted that claim 12 is allowable over Hitoo.

Claims 13, 14, 21 and 22 depend from independent claim 12 and are allowable for at least the reasons discussed above, and for the additional features which they recite. For instance, Claim 22 depends from claim 12 and further recites that the device comprises a plane of symmetry, the device being constructed symmetrically with respect to the plane of symmetry. None of the devices disclosed in Hitoo have a plane of symmetry as recited in claim 22. It is respectfully submitted that the dependent claims are also allowable for these additional reasons.

2. Claims 24-26

Independent claim 24 is directed to a linear drive device which includes an excitation winding having a magnetic-flux-carrying yoke body with a pair of pole surfaces. Claim 24 also recites an armature body including a magnet carrier having a plurality of permanent magnets, an electrically conductive exterior frame, and a pair of electrically insulating portions that hold the permanent magnet parts in a central portion of the exterior frame. Claim 24 recites that the armature body is movable in an axial oscillation movement under the control of the variable magnetic field of the excitation winding. Claim 24 also recites that during the axial oscillation movement, the exterior frame remains outside the magnetic field area defined by the pair of pole surfaces of the yoke body.

As explained above, Hitoo fails to disclose or suggest a linear drive device wherein permanent magnets are held in an electrically conductive exterior frame by a pair of electrically insulating portions. Hitoo also fails to disclose or suggest that during oscillation movement, the exterior frame remains outside the magnetic field area formed between the pole surfaces of a yoke body. For at least these reasons, it is respectfully submitted that claim 24 is allowable. Claims 25 and 26 depend from claim 24 and are allowable for the same reasons, and for the additional features which they recite.

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In view of all the foregoing, withdrawal of the rejection of claims 12-14, 21, 22 and 24-26 is respectfully requested.

**CLAIMS 15-20 and 27-30**

The Office Action rejects claims 15-20 and 27-30 under 35 U.S.C. 103(a) over Hitoo, in view of Japanese Application No. 01-190979 to Yasumasa (hereinafter "Yasumasa"). The rejection is respectfully traversed.

Claims 15-20 depend from claim 12, and claims 27-30 depend from claim 24. As noted above, the Hitoo reference fails to disclose or suggest all the features of claims 12 and 24. The Yasumasa reference fails to cure those deficiencies of Hitoo. Accordingly, it is respectfully submitted that claims 15-20 and 27-30 are allowable over Hitoo and Yasumasa for all the reasons discussed above in connection with claims 12 and 24, and for the additional features which they recite. Withdrawal of the rejection of these claims is respectfully requested.

**CLAIMS 23 and 31**

The Office Action rejects claims 23 and 31 under 35 U.S.C. 103(a) over Hitoo, in view of U.S. Publication No. 2003/017384 to McGill (hereinafter "McGill"). The rejection is respectfully traversed.

Claim 23 depends from claim 12 and claim 31 depends from claim 24. As noted above, Hitoo fails to disclose or suggest all the features of claims 12 and 24. McGill fails to cure those deficiencies of Hitoo. Accordingly, it is respectfully submitted that claims 23 and 31 are allowable over Hitoo and McGill for all the reasons discussed above in connection with claims 12 and 24, and for the additional features which they recite. Withdrawal of the rejection of these claims is respectfully requested.

**NEW CLAIMS 32-40**

By this Amendment, new claims 32-40 are added to the application. Claims 32-36 depend from claim 12 and claims 37-40 depend from claim 24. It is respectfully submitted that the dependent claims are allowable over the

references of record for all the reasons discussed above in connection with independent claims 12 and 24, and for the additional features which they recite.

**CONCLUSION**

In view of the above, entry of the present Amendment and allowance of Claims 12-40 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

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